

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
JUSTIN ALBRIGHT, on behalf of his	:	
daughter T.A. a minor,	:	
	:	22cv5987 (DLC)
Plaintiff,	:	22cv5443 (DLC)
	:	
-v-	:	<u>ORDER</u>
	:	
DAILY HARVEST, INC., et al.,	:	
	:	
Defendants.	:	
	:	
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	:	
BREEANNE BUCKLEY PENI, individually	:	
and on behalf of all others similarly	:	
situated,	:	
	:	
Plaintiff,	:	
	:	
-v-	:	
	:	
DAILY HARVEST, INC.,	:	
	:	
Defendant.	:	
	:	
-----	X	

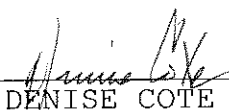
DENISE COTE, District Judge:

Having reviewed the plaintiff's submission of September 20, 2024 regarding the settlement with Smirk's Ltd. ("Smirk's") and Molinos Asociados SAC ("Molinos"), it is hereby

ORDERED that the parties shall be prepared at the October 3, 2024 preliminary approval conference to address whether the proposed settlement notice should not include the following features:

1. A description and definition of the Daily Harvest and Stone Gate Foods settlement (perhaps as the "Daily Harvest Settlement") in an additional paragraph at the end of section three.
2. A definition of the Smirk's and Molinos settlement as the "Settlement," perhaps in the fourth bullet point on the first page.
3. Clarification in section six that the Settlement amounts described therein will be available in addition to those distributed in the Daily Harvest Settlement.
4. An explanation of whether, to participate in the Settlement, class members must file another claim form if they filed one in the Daily Harvest Settlement; additionally, an explanation of whether class members who did not file a claim form in the Daily Harvest Settlement may do so now and recover from both settlements.

Dated: New York, New York  
October 1, 2024

  
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DENISE COTE  
United States District Judge